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On

*June 24, 2004*

TOWNSEND and TOWNSEND and CREW LLP

By:

*Nancy Pizzo*  
NANCY PIZZO

PATENT

Attorney Docket No.: 018468-000130US

Customer No. 20350

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

JOYE, JAMES ET AL.

Application No.: 09/978,253

Filed: October 15, 2001

For: APPARATUS AND METHOD OR  
CRYOGENIC INHIBITION OF  
HYPERPLASIA

Examiner: ROLLINS, Rosiland

T.C./Art Unit: 3739

**INFORMATION DISCLOSURE  
STATEMENT UNDER  
37 CFR §§1.97 and 1.98**

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Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. Copies of the references are enclosed.

Also enclosed is a copy of the Search/Examination report corresponding to the European application.

It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

06/30/2004 CNGUYEN 00000060 201430 09978253

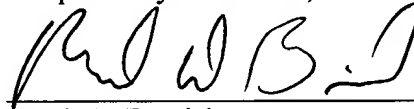
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As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

This IDS is being filed before the mailing date of the final Office Action or Notice of Allowance.

Please charge the IDS fee of \$180 to Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,



Mark D. Barrish  
Reg. No. 36,443

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Substitute for form 1449A/PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet

1

of

Complete if Known

Application Number	09/978,253
Filing Date	October 15, 2001
First Named Inventor	Joye, James
Art Unit	3739
Examiner Name	ROLLINS, Rosiland
Attorney Docket Number	018468-000130US

## U.S. PATENT DOCUMENTS+

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Kind Code <sup>2</sup> (if known)			
	AA	US-5,520,682	28 MAY 1996	BAUST ET AL.	
	AB	US-6,624,392	29 APR 1997	SAAB	
	AC	US-			
	AD	US-			
	AE	US-			
	AF	US-			
	AG	US-			
	AH	US-			
	AI	US-			
	AJ	US-			
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## FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
	AU	PCT	WO 98/38934	A1	3 MAR 1998	LaFONTAINE		<input type="checkbox"/>
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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

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Sheet

2

of

**Complete if Known**

Application Number	09/978,253
Filing Date	October 15, 2001
First Named Inventor	Joye, James
Art Unit	3739
Examiner Name	ROLLINS, Rosiland
Attorney Docket Number	018468-000130US

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	BC	EXAMINATION REPORT (Registered Letter) from European Patent Office dated 18 March 2004, for Application No. 98 959 646.5 - 2305 under the name Odyssey Technologies, Inc. (6 pgs)	
	BD		
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